

A-1898

AMENDATORY AGREEMENT NO. 1

THIS AMENDATORY AGREEMENT, made and entered into by and between the **CITY OF ATLANTIC CITY**, a municipal corporation of the State of New Jersey, with its principal offices located at 1301 Bacharach Boulevard, Atlantic City, New Jersey 08401, hereinafter referred to as "**CITY**", and **RICHARD E. PIERSON CONSTRUCTION CO, INC** with offices located at P.O. Box 430, Woodstown, NJ 08098, hereinafter referred to as "**CONTRACTOR**", pursuant to Resolution No. 383 adopted by the Council of the **CITY** on June 17, 2026, a copy of which is attached hereto and made a part hereof.

WHEREAS, by Resolution No. 242 adopted April 16, 2025, the **CITY** entered into an Agreement with **CONTRACTOR** for **CHELSEA REPLACEMENT OF BULKHEAD** in the amount of **EIGHT MILLION FIVE HUNDRED TWENTY-FOUR THOUSAND TWO HUNDRED FIFTY DOLLARS (\$8,524,250.00)**; and

WHEREAS, additional funding is necessary for **SITE RESTORATION**, at an additional cost of **FOUR HUNDRED SIXTY THOUSAND SEVENTY DOLLARS (\$460,070.00)** to be known as **AMENDATORY AGREEMENT No. 1**.

WHEREAS, with the exception of the modifications contained herein, all other terms, conditions and provisions of the Agreement between the parties shall remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED in consideration of the mutual covenants contained herein, the parties agree that the Agreement authorized by Resolution No. 242 adopted by the Council of the **CITY** on April 16, 2025 is hereby amended to include the above referenced change in scope outlined in Resolution No. 383 adopted by Council on June 17, 2026, in the amount of **FOUR HUNDRED SIXTY THOUSAND SEVENTY DOLLARS (\$460,070.00)** to be known as **AMENDATORY AGREEMENT No. 1**.

CONTRACTOR represents that it is in compliance with all laws of the State of New Jersey, all

Ordinances of the City of Atlantic City, including Ordinance No. 24 of 1993, Executive Order No. 1 of 1993, and will remain so for the term of this Agreement and all extensions and amendments hereto, and failure to continue in compliance shall be deemed a breach of the Agreement, and all extensions and amendments hereto.

CONTRACTOR cannot assign its rights or obligations under the Agreement without the prior written consent of the **CITY**.

The Amendatory Agreement No.1 is effective as of the date of complete execution hereof.

[THIS SECTION INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the CITY and CONTRACTOR have caused this Amendatory Agreement No.1 to be executed on or as of the day and year first below written.

ATTEST:

CITY OF ATLANTIC CITY

Paula Geletei
Paula Geletei, City Clerk

By: Marty Small
Marty Small, Sr., Mayor

Date: 7-28-26

WITNESS:

RICHARD E. PIERSON CONSTRUCTION
CO., INC.

Cherry M. Dubois
Cherry M. Dubois
Asst Secretary

By: Robert L. Marcella
Vice President
Robert L. Marcella
(PLEASE PRINT NAME ABOVE)

DATE: July 15 2026

This Amendatory Agreement No. 1 is approved as to form and execution.

Date: 7/21/26

By: Peter T. Sallata
Peter T. Sallata, Esq.
Assistant City Solicitor

STATE OF New Jersey)
) ss.
COUNTY OF Salem)

I CERTIFY that on July 15, 2026,
Chern M Dubois the Secretary or Assistant Secretary of the Corporation,
personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the secretary or assistant secretary of
Richard E Pierson Construction Co Inc
(the corporation named in this document);
- (b) this person is the attesting witness to the signing of this document by the proper
corporate officer of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act
duly authorized by a proper resolution of its Board of Directors and;
- (d) this person signed this proof to attest to the truth of these facts.

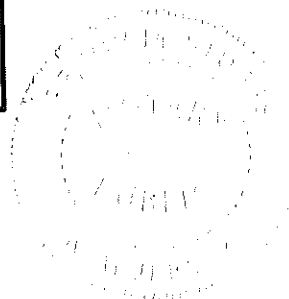
Signed and sworn to before me on

July 15, 2026

Chern M Dubois
Secretary or Asst. Secretary
Chern M Dubois

Penny M Stubbs

PENNY M. STUBBS
Notary Public, State of New Jersey
Comm. # 50011369
My Commission Expires 3/6/2030



Resolution of the City of Atlantic City

No. 383

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

City Solicitors/s/ Michael J. Perugini

Uzo Ahiaarakwe, P.E. /s/ City Engineer

Prepared by City Solicitor's Office

Council Members MARSHALL, RANDOLPH, SHABAZZ & KURTZ present the following Resolution:

RESOLUTION TO AWARD AN AMENDATORY AGREEMENT TO RICHARD E. PIERSON CONSTRUCTION CO., INC. FOR CHELSEA REPLACEMENT OF BULKHEAD IN THE AMOUNT OF \$460,070.00

WHEREAS, the bid of RICHARD E. PIERSON CONSTRUCTION CO., INC. a company of the State of New Jersey, with offices located at P.O. Box 430, Woodstown, NJ 08098, was received and publicly opened and read at a meeting of the Purchasing Board held on March 19, 2025, for the **CHELSEA REPLACEMENT OF BULKHEAD** for a total delivered sum of **EIGHT MILLION FIVE HUNDRED TWENTY-FOUR THOUSAND TWO HUNDRED FIFTY DOLLARS (\$8,524,250.00)** and the said bid was hereby **ACCEPTED**; and

WHEREAS, RICHARD E. PIERSON CONSTRUCTION CO., INC., advised there is a need for **SITE RESTORATION** in the amount of **FOUR HUNDRED SIXTY THOUSAND SEVENTY DOLLARS (\$460,070.00)**; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Atlantic City that the Mayor is hereby authorized to execute and the City Clerk to attest to an **AMENDATORY AGREEMENT** in the amount of **FOUR HUNDRED SIXTY THOUSAND SEVENTY DOLLARS (\$460,070.00)** for a new total not to exceed **EIGHT MILLION NINE HUNDRED EIGHTY-FOUR THOUSAND THREE HUNDRED TWENTY DOLLARS (\$8,984,320.00)** for the aforementioned services to be known as **AMENDATORY AGREEMENT NO. 1.**

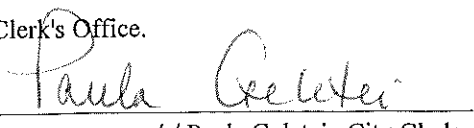
BE IT FURTHER RESOLVED that a Certificate from the Chief Financial Officer has been attached to this Resolution, showing the availability of funds from Account No. G-02-41-731-A20-925, to satisfy the aforesaid award of contract.

June 30, 2026 10:49 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
AHMED	X						KURTZ	X					
BAILEY	X				X		LACCA	X					
CROUCH	X					X	MARSHALL				X		
DUNSTON	X						SHABAZZ				X		
RANDOLPH, PRESIDENT							X						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: JUNE 17, 2026


/s/ Paula Geletei, City Clerk